

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that pursuant to 37 C.F.R. §1.8, this Response to Notice to File Missing Parts, Preliminary Amendment and Request for Correction of Filing Receipt is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: February 22, 2005

By: Seiji J. Mascon

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

PATENT

Applicant(s):	Blake Benson, et al.	Docket No.:	60655.8100
Serial No.:	10/711,388	Group Art Unit:	2876
Filed:	September 15, 2004	Examiner:	To Be Assigned
TITLE:	ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING RESOLUTION OF POST TRANSACTION DISPUTES	Confirmation No.	5387

RESPONSE TO MISSING PARTS, PETITION TO ACCEPT APPLICATION DUE TO
INVENTOR REFUSING TO JOIN PURSUANT TO 37 C.F.R. §1.47(a)

Mail Stop: Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

03/02/2005 HGUTEMA1 00000046 10711388
01 FC:1051 130.00 DA
02 FC:1464 130.00 DA

Dear Sir:

In response to the Notice to File Missing Parts mailed October 22, 2004 in the application, with a two-month extension to February 22, 2005, Applicants herby submit the following for consideration.

03/02/2005 HGUTEMA1 00000046 192814 10711388
03 FC:1252 450.00 DA

03/02/2005 HGUTEMA1 00000046 10711388
02 FC:1464 130.00 DA

Items Included with this Response

1. Late filing fee of \$130.00. Please charge the petition fee of \$130.00 to Deposit Account No. 19-2814.

2. Petition (and accompanying statements and Exhibits) to accept application due to inventor refusing to join pursuant to 37 C.F.R. §1.47(a) along with petition fee of \$130.00. Please charge the petition fee of \$130.00 to Deposit Account No. 19-2814 as provided for in the accompanying transmittal.

3. Two month extension fee of \$450.00. Please charge the extension fee of \$450.00 to Deposit Account No. 19-2814.

**PETITION TO ACCEPT APPLICATION DUE TO INVENTOR REFUSING TO JOIN
PURSUANT TO 37 C.F.R. §1.47(a)**

In response to the Notice to File Missing Parts mailed October 22, 2004 in the application, wherein it is noted that the inventor's oath or declaration is missing for Judith Continelli and Sandy Hazeltine, Applicants/Petitioners hereby petition the Commissioner to accept the enclosed declaration executed by the signing inventors on behalf of themselves and non-signing inventors Judith Continelli and Sandy Hazeltine. Inventors Judith Continelli and Sandy Hazeltine refuse to join with the remaining joint inventors, Blake Benson, Naveen Jaiswal, Dean Kerl, and Sukumar Rajagopalan, in the above-identified application for patent.

In accordance with the section 1.47(a), if a joint inventor refuses to join in an application for patent, the application may be made by the other inventors on behalf of the signing inventors and non-signing inventors. Section 1.47(a) requires that:

1. all available joint inventors must make an oath or declaration on their own behalf, and make an oath or declaration on behalf of the non-signing inventor;
2. the application must be accompanied by proof of pertinent facts, namely the details relating to the non-signing inventor's refusal to execute the application papers;
3. the petition must indicate the last known address of the non-signing joint inventor; and
4. payment of the fee set forth in section 1.17(h).

1. Oath Or Declaration Is Made By All Available Inventors and On Behalf Of The Non-signing Inventor

Accompanying this Petition is a Declaration executed in compliance with 37 C.F.R. §1.63. The Declaration is signed by all available joint inventors, namely Blake Benson, Naveen Jaiswal, Dean Kerl, and Sukumar Rajagopalan on their own behalf, with the signature blocks of the non-signing inventors, Judith Continelli and Sandy Hazeltine, left blank. Thus, in accordance with MPEP §409.03(a), where an oath or declaration is signed by all the available inventors with the signature blocks of the non-signing inventors left blank, the declaration may be treated as having been signed by all the available inventors on behalf of the non-signing inventors.

2. Proof Of Pertinent Facts, Namely, The Details Relating To The Non-Signing Inventors' Refusal To Execute The Application Papers

Ms. Continelli and Ms. Hazeltine have demonstrated through their conduct and through explicit communication that they refuse to join with the remaining joint inventor in the above-identified application for patent. The proof of the pertinent facts is set forth in the attached Statements of David O. Caplan and in the accompanying supporting Exhibits.

3. Last Known Address Of The Non-Signing Joint Inventors

In accordance with MPEP §409.03(e), a petition filed pursuant to 37 C.F.R. §1.47(a) must state the last known address of the non-signing inventor. The address should be the last known address at which the inventor customarily receives mail. The last known addresses at

which the inventors Judith Continelli and Sandy Hazeltine customarily receive mail and of which the Petitioners are aware are:

Judith Continelli
5620 W. Tonopah Drive
Glendale, AZ 85308

Sandra Hazeltine
820 E. Corte Oro
Phoenix, AZ 85020-3773

4. Fees

Please charge the petition fee of \$130.00 to Deposit Account No. 19-2814 as provided for in the accompanying transmittal.

REMARKS

This Response to Missing Parts is responsive to the Notice to File Missing Parts mailed on October 22, 2004. In the October 22, 2004 Notice to File Missing Parts, it is noted that the signatures of Judith Continelli and Sandy Hazeltine are missing from the oath or declaration and that a properly signed oath in compliance with 37 C.F.R. §1.63 is required. Applicants submit herewith a Petition For Acceptance Of The Application Due To Inventors' Refusal To Join in the prosecution of the application. Applicants believe that the petition read in conjunction with the attached Statements and Exhibits executed by Attorney David O. Caplan fully satisfies the requirements for acceptance of the application, pursuant to 37 C.F.R. §1.47(a). Thus, Applicants respectfully request favorable consideration of the above petition.

Should the Office wish to discuss any of the above in greater detail or deem that amendments should be made to improve the form of the application or petition, then the

Office is invited to telephone the undersigned at the Office's convenience.

Respectfully submitted,

Date: 22-FEB-2005

By David O. Caplan
David O. Caplan
Reg. No. 41,655

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
Phone: (602) 382-6284
Facsimile: (602) 382-6070
e-mail: dcaplan@swlaw.com



CERTIFICATE OF MAILING BY FIRST-CLASS MAIL

I hereby certify that this **Statement Regarding Non-Signing Inventor Judith Continelli** is being deposited as U.S. First-Class Mail this date with the United States Postal Service in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 22, 2005

By: Supriya J. Mason
Signature of Person Mailing

**IN THE UNITED STATES PATENT AND PATENT
TRADEMARK OFFICE**

PATENT

Applicant(s): Blake Benson, et al.

Docket No.: 60655.8100

Serial No.: 10/711,388

Group Art Unit: 2876

Filed: September 15, 2004

Examiner: To Be Assigned

TITLE: **ON-LINE MERCHANT SERVICES
SYSTEM AND METHOD FOR
FACILITATING RESOLUTION OF
POST TRANSACTION DISPUTES**

Confirmation No.: 5387

STATEMENT REGARDING NON-SIGNING INVENTOR JUDITH CONTINELLI

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, David O. Caplan, hereby affirm that to the best of my personal knowledge:

1. I am an attorney with the law firm of Snell & Wilmer L.L.P. ("Snell & Wilmer").
I am also a patent attorney registered to practice law before the United States Patent and Trademark Office, under United States Patent Office registration no. 41,655.

2. Snell & Wilmer represents American Express Travel Related Services Company, Inc. ("American Express"), in regards to certain intellectual property matters. I have personally provided legal counsel to American Express on many of their intellectual property matters. More particularly, I am the outside counsel most closely involved with the preparation and

prosecution of the above noted U.S. application serial no. 10/711,388, filed September 15, 2004, which is the subject matter of this Petition.

3. American Express retained Snell & Wilmer to prepare several applications related to real-time dispute resolution systems. Of particular importance is U.S. non-provisional application no. 09/537,506, filed March 29, 2000, entitled SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE, and U.S. non-provisional application no. 10/391,492, filed March 18, 2003, entitled SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE USING DISPARATE ARCHITECTURES, to which the 10/711,388 application is a continuation-in-part and claims priority.

4. It was determined that Ms. Judith Continelli made inventive contributions to the inventions disclosed and claimed in the 09/537,506 application, the 10/391,492 application, and the 10/711,388 application. Thus, Ms. Continelli is listed as an inventor on the noted applications.

5. In accordance with the Snell & Wilmer client matter docketing system, U.S. application no. 09/537,506 is given attorney docket no. 10655.9400, U.S. application no. 10/391,492 is given attorney docket number 50655.0500, and U.S. application no. 10/711,288 is given attorney docket number 60655.8100. These attorney docket numbers are referenced in communications between American Express, Snell & Wilmer and the inventors of the above noted applications.

6. Ms. Continelli participated in the preparation of U.S. application no. 09/537,506, to which the 10/711,388 application is a continuation-in-part and claims priority. On March 21, 2000, Ms. Continelli executed an assignment of the 09/537,506 application to American Express Travel-Related Services Company, Inc. (hereinafter "American Express") (see Exhibit A). The

assignment of the 09/537,506 application was recorded in the United States Patent and Trademark Office on March 29, 2000 at Reel No. 010664, Frame 0976, as shown in attached Exhibit B.

7. Regarding the assignment of the 09/537,506 application, Ms. Continelli has assigned and transferred to American Express, the full and exclusive right to the invention described in the 09/537,506 provisional application (see Exhibit A, paragraph 4). In addition, Ms. Continelli's assignment of rights includes the assignment of the full and exclusive right to, *inter alia*, any provisional, non-provisional, continuation, continuation in part, divisional or other patent application which claims priority to the 09/537,506 application. As such, since the 10/711,388 application is a continuation-in-part and claims priority to the 09/537,506 application, Ms. Continelli has assigned to American Express all full and exclusive rights to at least the 10/711,388 application.

8. In accordance with paragraph 5 of the assignment document, Ms. Continelli transferred to American Express, without further remuneration, a full and exclusive right to any improvements and applications for patents based thereon, growing out of, or relating to the 09/537,506 application, and to provide reasonable assistance and execute any papers, if accurate, to preserve, acquire and/or perfect American Express's full protection and title in and to the 09/537,506 application and any improvements and to file any applications as noted in the assignment paragraph 3 (see Exhibit A, paragraph 5).

9. In addition to the rights assigned to American Express under assignment document Exhibit A, American Express also clearly has rights in the invention of the 10/711,388 application since Ms. Continelli conceived of, and developed the invention, while employed by American Express. Ms. Continelli was a full-time, salaried employee of American Express

during the time that the inventions were conceived (see Exhibit C), and the inventions were conceived in line with the scope of Ms. Continelli's employment using American Express's resources. As such, notwithstanding the Assignment of rights demonstrated in Exhibit A, it is my belief that American Express owns title to the invention claimed in the 10/711,388 application, even though Ms. Continelli was no longer an employee of American Express when the application was filed.

10. Consequently, based on the facts presented in paragraphs 6-8 (by Assignment) and paragraph 9 (by Judicial Award of Assignment), American Express clearly and unambiguously has a substantial interest in the filing and prosecution of all applications noted above.

11. At American Express's instruction, Snell & Wilmer prepared the 10/711,388 application based on the information included in the 09/537,506 application, and information obtained directly from co-inventors Blake Benson, Naveen Jaiswal, Dean Kerl, and Sukumar Rajagopalan. I provided a copy of the 10/711,388 application to Ms. Continelli along with the Inventor's Declaration and Assignment for review on October 4, 2004 (see Exhibit D for copy of October 4, 2004 letter, Declaration, and Assignment). The October 4, 2004 letter requested Ms. Continelli to review the 10/711,388 application (a copy of which was provided with the October 4, 2004 letter) and to sign and return the Declaration and Assignment by October 18, 2004. On October 21, 2004, I personally spoke with Ms. Continelli concerning the execution of the Inventors' Declaration and Assignments and the necessity for returning the signed Declaration and Assignment by October 28, 2004.

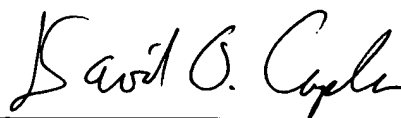
12. Ms. Continelli did not return the Declaration and Assignment by October 28, 2004.

13. In an effort to encourage Ms. Continelli to execute the Declaration, I again tried to contact Ms. Continelli on October 28, 2004, November 1, 2004, and November 3, 2004. Each time, I left voicemail messages with Ms. Continelli encouraging her to contact me to discuss the 10/711,388 patent application and to remind her of the urgency of the executing the filing papers. Ms. Continelli has not returned my phone calls despite my voicemail messages that stressed the urgency of signing the filing papers.

14. Based upon the statements from Ms. Continelli during my telephone conference of October 21, 2004 at 11:25 am, Mountain Standard Time, and based upon Ms. Continelli's continued refusal to contact me or return my repeated phone calls despite my continued stressing of the urgency of the situation, it is my belief that Ms. Continelli is wrongly refusing to sign the declaration, and to join in the prosecution of the 10/711,388 application, and that her conduct amounts to a refusal that is explicit and unequivocal. Thus, her conduct constitutes refusal sufficient to satisfy the requirements for acceptance of the application under 37 C.F.R. §1.47(a).

15. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED this 22nd day of February 2005.

A handwritten signature in black ink, reading "David O. Caplan". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

David O. Caplan
Reg. No. 41,655

Please note that the below Exhibits are protected by the Attorney Client and Attorney Work Product Privileges and no privilege is waived with respect to the subject matter of the communications.

**Exhibit A
(Assignment Document)**

ASSIGNMENT

UTILITY PATENT

WHEREAS, the undersigned inventor(s) (hereinafter singly and collectively, "ASSIGNOR") of the addresses indicated below, have invented a **SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE** for which application for Letters Patent of the United States was filed on March 29, 2000 and assigned U.S. Serial No. _____; (OR has been executed on even date herewith);

AND WHEREAS, **AMERICAN EXPRESS TRAVEL-RELATED SERVICES COMPANY, INC.** (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of New York having its principal place of business and mailing address at American Express Tower, World Financial Center, New York, New York 10285-4900, is desirous of acquiring an interest therein;

NOW, THEREFORE, the undersigned **ASSIGNOR(S)** hereby confirm that **ASSIGNORS** are full time salaried employees of **ASSIGNEE** and that **ASSIGNORS** developed the subject matter of the invention on **ASSIGNEE's** time and at the expense of **ASSIGNEE** and within the scope of **ASSIGNORS'** duties as employees of **ASSIGNEE** and thereby **ASSIGNORS** recognize that the **ASSIGNEE** owns the invention as described in the aforesaid application. Nonetheless to comport with Patent Office procedures, **ASSIGNORS** memorialize that relationship in the form of this assignment and;

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **ASSIGNORS** by these presents do sell, assign and transfer unto **ASSIGNEE**, its successors, assigns and legal representatives, the full and exclusive right to the invention, as described in the aforesaid application, including patent, copyright and any other intellectual property rights, any provisional, non-provisional, continuation, continuation in part, divisional, reissue, reexamination, foreign, PCT or other patent application or like document, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to **ASSIGNEE**, for the sole use and benefit of **ASSIGNEE**, its successors, assigns and legal representatives,

AND HEREBY AGREES to transfer a like interest to **ASSIGNEE**, its successors, assigns and legal representatives, without further remuneration, in and to any improvements and applications for patents based thereon, growing out of or relating to the invention; and to provide all reasonable assistance and execute any papers desired by **ASSIGNEE**, its successors, assigns and legal representatives, to perfect **ASSIGNEE's** full protection and title in and to the invention hereby transferred and to file any of the aforementioned applications.

EXECUTED as of the date(s) written below by ASSIGNORS:

INVENTOR'S NAME

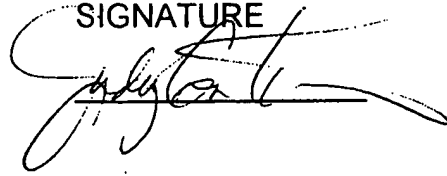
ADDRESS

SIGNATURE

DATE

Judy Continelli

5423 W. Tonto Rd
Glendale, AZ
85308



3/21/00

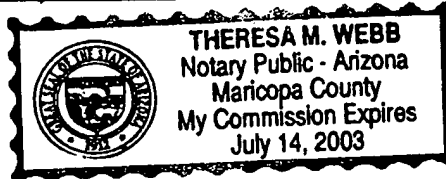
Sandy Hazeltine

1935 W. Morten
Unit #1
Phoenix, AZ 85021



3/21/00

STATE OF Arizona)
County of Maricopa) ss.



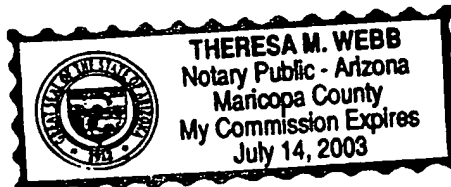
On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Judy Continelli who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

Theresa M Webb
Notary Public

My commission expires:

7/14/2003

STATE OF Arizona)
County of Maricopa) ss.



On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Sandy Hazeltine who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

Theresa M. Webb
Notary Public

My commission expires:

7/14/2003

SNELL & WILMER L.L.P.

One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

ORTHM\PHX\802053.1

Exhibit B
(Recordation of Assignment)

1066 2400



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 31, 2000

PTAS



101311289A

SNELL & WILMER, L.L.P.
MICHELLE ORTH
ONE ARIZONA CENTER
400 E. VAN BUREN
PHOENIX, ARIZONA 85004-2202

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/29/2000

REEL/FRAME: 010664/0976
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CONTINELLI, JUDITH

DOC DATE: 03/21/2000

ASSIGNOR:

HAZELTINE, SANDY

DOC DATE: 03/21/2000

ASSIGNEE:

AMERICAN EXPRESS TRAVEL-RELATED
SERVICES COMPANY, INC.
WORLD FINANCIAL CENTER
AMERICAN EXPRESS TOWER
NEW YORK, NEW YORK 10285-4900

SERIAL NUMBER: 09537506
PATENT NUMBER:

FILING DATE: 03/29/2000
ISSUE DATE:

RECEIVED

JUN 08 2000

SNELL & WILMER

Noted for receipt

010664/0976 PAGE 2

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

04-10-2000

U.S. Department of Commerce
Patent and Trademark Office
PATENT

3.29.00



101311289

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

09537506

1052\$ U.S. PTO
09/537506

03/29/00

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark If additional names of conveying parties attached

Name (line 1) Execution Date Month Day Year

Name (line 2)

Second Party

Name (line 1) Execution Date Month Day Year

Name (line 2)

Receiving Party

☐ Mark If additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

04/10/2000 BNGUYEN 00000164 09537506

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number **(602) 382-6275**

Name **Michelle Orth**

Address (line 1) **Snell & Wilmer, L.L.P.**

Address (line 2) **One Arizona Center**

Address (line 3) **400 E. Van Buren**

Address (line 4) **Phoenix, Arizona 85004-2202**

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

2

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year
03 28 00

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

19-2814

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Michelle Orth

Name of Person Signing



Signature

3/29/00

Date

ASSIGNMENT

UTILITY PATENT

WHEREAS, the undersigned inventor(s) (hereinafter singly and collectively, "ASSIGNOR") of the addresses indicated below, have invented a **SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE** for which application for Letters Patent of the United States was filed on March 29, 2000 and assigned U.S. Serial No. _____; (OR has been executed on even date herewith);

AND WHEREAS, **AMERICAN EXPRESS TRAVEL-RELATED SERVICES COMPANY, INC.** (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of New York having its principal place of business and mailing address at American Express Tower, World Financial Center, New York, New York 10285-4900, is desirous of acquiring an interest therein;

NOW, THEREFORE, the undersigned **ASSIGNOR(S)** hereby confirm that **ASSIGNORS** are full time salaried employees of **ASSIGNEE** and that **ASSIGNORS** developed the subject matter of the invention on **ASSIGNEE's** time and at the expense of **ASSIGNEE** and within the scope of **ASSIGNORS'** duties as employees of **ASSIGNEE** and thereby **ASSIGNORS** recognize that the **ASSIGNEE** owns the invention as described in the aforesaid application. Nonetheless to comport with Patent Office procedures, **ASSIGNORS** memorialize that relationship in the form of this assignment and;

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **ASSIGNORS** by these presents do sell, assign and transfer unto **ASSIGNEE**, its successors, assigns and legal representatives, the full and exclusive right to the invention, as described in the aforesaid application, including patent, copyright and any other intellectual property rights, any provisional, non-provisional, continuation, continuation in part, divisional, reissue, reexamination, foreign, PCT or other patent application or like document, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to **ASSIGNEE**, for the sole use and benefit of **ASSIGNEE**, its successors, assigns and legal representatives,

AND HEREBY AGREES to transfer a like interest to **ASSIGNEE**, its successors, assigns and legal representatives, without further remuneration, in and to any improvements and applications for patents based thereon, growing out of or relating to the invention; and to provide all reasonable assistance and execute any papers desired by **ASSIGNEE**, its successors, assigns and legal representatives, to perfect **ASSIGNEE's** full protection and title in and to the invention hereby transferred and to file any of the aforementioned applications.

EXECUTED as of the date(s) written below by ASSIGNORS:

INVENTOR'S NAME

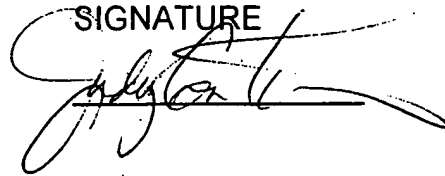
ADDRESS

SIGNATURE

DATE

Judy Continelli


5423 W. Tonto Rd
Glendale, AZ
85308



3/21/00

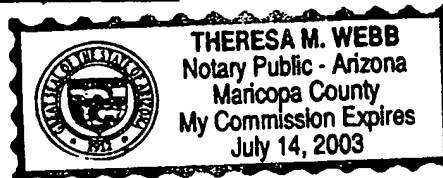
Sandy Hazeltine

1935 W. Morten
Unit #1
Phoenix, AZ 85021



3/21/00

STATE OF Arizona)
County of Maricopa) ss.



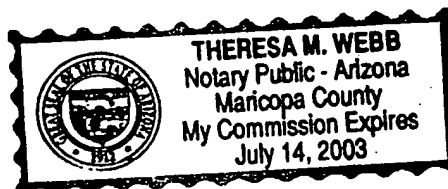
On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Judy Continelli who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

Theresa M Webb
Notary Public

My commission expires:

7/14/2003

STATE OF Arizona)
County of Maricopa) ss.



On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Sandy Hazeltine who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

Theresa M. Webb
Notary Public

My commission expires:

7/14/2003

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

ORTHMPHX\802053.1

Exhibit C
(Ms. Continelli's Dates of Employment)

New Reply - Lotus Notes

File Edit View Create Action

Address

Reply To All

37 bytes

Local intranet

From: Judith A Moldover on 03/20/2003 03:34 PM

To: Patrice Jacobson@AMEX, Jennifer Oquendo@AMEX

cc: Tracey R Thomas/AMER/TRS/AEXP@AMEX

Subject: Re: Hostile Inventor Petition

Jen, can you help Patrice? I think items 3 and 5 will be in Peoplesoft. Please check to see if we have an A&R for each of them; I think that is all we would have responsive to #4. thanks

From: Patrice Jacobson on 03/20/2003 03:31 PM

To: Judith A Moldover@AMEX

cc: Tracey R Thomas/AMER/TRS/AEXP@AMEX

Subject: Hostile Inventor Petition

Judith - I need your assistance and services once more. There are two people that are named as inventors on one of our high profile patent matters and they were

Helv

10" [None]

Office

Start

New Reply - Lotus Notes

DDCS Open

HRApps

Administer Workforce...

Administer Workforce (GBL) - Use - Job Data

File Edit View Go Favorites Use Setup Inquire Report Help

Work Location

Job Information

Payroll

Compensation

Compensation - Dis

Employment Data

HRD Misc Fields

Sub

Continelli, Judith E

ID: 0050401

Hire Date: 06/05/1989

Rehire Date:

Termination Date: 12/04/2001

Company Seniority Date: 06/05/1989

Last Date Worked: 12/04/2001

Service Date / Months / Days: 06/05/1989 / 149 / 4565

Expected Return Date:

Professional Experience Date:

Last Verification Date:

Date Last Increase:

Probation Date:

Mail Drop: 400312

Acquisition Date:

Home/Host: Home

Business Title:

Work Phone: 602/537-9015

Supervisor ID: 9999999

Term Default ID:

Employment Data

Update/Disp

Exhibit D
(October 4, 2004 letter to Ms. Continelli including Declaration and Assignment)

Snell & Wilmer
L.L.P.
LAW OFFICES

One Arizona Center
Phoenix, Arizona 85004-2202
(602) 382-6000
Fax: (602) 382-6070
www.swlaw.com

David Caplan
602-382-6284
dcaplan@swlaw.com

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

SALT LAKE CITY, UTAH

DENVER, COLORADO

LAS VEGAS, NEVADA

October 4, 2004

Ms. Judith E. Continelli
5620 W. Tonopah Drive
Glendale, Arizona 85308

Re: **U.S. Utility Patent Application for:**
Title: ON-LINE MERCHANT SERVICES SYSTEM AND
METHOD FOR FACILITATING RESOLUTION OF
POST TRANSACTION DISPUTES
Inventor(s): Blake Benson; Naveen Jaiswal; Dean Kerl; Sukumar
Rajagopalan; Judith Continelli; Sandra Hazeltine
Our Docket No.: 60655.8100
Date Filed: September 15, 2004

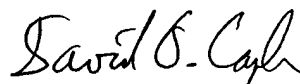
Dear Judith:

You are listed as an inventor on the above patent application. Enclosed are the Assignment and Declaration for the above referenced matter, along with a copy of the application and figures as filed. Please review, check the accuracy of your information, and sign the enclosed Declaration and Assignment documents. Please return these documents to me by **October 18, 2004** for filing with the U.S. Patent Office.

Even though you are no longer employed by American Express, your conformance with your continued obligation is appreciated. If you have any questions, please do not hesitate to contact me at the above number.

Very truly yours,

Snell & Wilmer



David O. Caplan

DOC/sgm
Enclosures
cc: American Express

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



7002 0860 0001 0797 3642
7002 0860 0001 0797 3642

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$	Letter w/ Enclosures
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	Postmark Here 60655.8100

Sent To
Judith E. Continelli
Street, Apt. No.,
or PO Box No. 5620 W. Tonopah Drive
City, State, ZIP+ 4 Glendale, Arizona 85308
PS Form 3800, April 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Ms. Judith E. Continelli
5620 W. Tonopah Drive
Glendale, Arizona 85308

60655.8100

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee
X
B. Received by (Printed Name) C. Date of Delivery
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number 7002 0860 0001 0797 3642
(Transfer from service label)

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

-- PATENT --

Inventor(s):	Blake Benson et al.	Docket No.:	60655.8100
Serial No.:		Group Art Unit:	To Be Assigned
Filing Date:		Examiner:	To Be Assigned
Title:	ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING RESOLUTION OF POST TRANSACTION DISPUTES	Confirmation No.:	To Be Assigned

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING
RESOLUTION OF POST TRANSACTION DISPUTES**

the specification of which is attached hereto or was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign
Application(s)

Priority Not Claimed

[]

Number	Country	Filing Date
--------	---------	-------------

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
--------------------	-------------

Application Number	Filing Date
--------------------	-------------

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/537,506	03/29/2000	Pending
Application Number	Filing Date	Status (Patent, Pending, Abandoned)
10/391,492	03/18/2003	Pending
Application Number	Filing Date	Status (Patent, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In the event that the Application Number and/or filing date is not available when this Declaration is executed, I hereby authorize and request any attorney associated with the Snell & Wilmer, L.L.P., Customer No. 20322, to insert above the filing date and/or the application number of said application when known.

Full name of sole or first joint inventor: Blake Benson

Inventor's signature: _____ Date: _____

Residence Address: _____

City/State: _____ Zip Code: _____

Mailing Address: _____

Citizenship: _____

Full name of second joint inventor: Naveen Jaiswal

Inventor's signature: _____ Date: _____

Residence Address: _____

City/State: _____ Zip Code: _____

Mailing Address: _____

Citizenship: _____

Full name of third joint inventor: Dean Kerl

Inventor's signature: _____ Date: _____

Residence Address: _____

City/State: _____ Zip Code: _____

Mailing Address: _____

Citizenship: _____

Full name of fourth joint inventor: Sukumar Rajagopalan

Inventor's signature: _____ Date: _____

Residence Address: 15 Webster Court

City/State: Plainsboro, New Jersey Zip Code: 08536

Mailing Address: 15 Webster Court, Plainsboro, New Jersey 08536

Citizenship: United States of America

Full name of fifth joint inventor: Judith Continelli

Inventor's signature: _____ Date: _____

Residence Address: 5423 W. Tonto Road

City/State: Glendale, Arizona Zip Code: 85308

Mailing Address: 5423 W. Tonto Road, Glendale, Arizona 85308

Citizenship: United States of America

Full name of sixth joint inventor: Sandy Hazeltine

Inventor's signature: _____ Date: _____

Residence Address: 19335 W. Morten, Unit #1

City/State: Phoenix, Arizona Zip Code: 85021

Mailing Address: 1935 W. Morten, Unit #1, Phoenix, Arizona 85021

Citizenship: United States of America

ASSIGNMENT

UTILITY PATENT

WHEREAS, the undersigned inventor(s) (hereinafter singly and collectively, "ASSIGNOR") of the addresses indicated below, have invented subject matter disclosed in the patent application entitled ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING RESOLUTION OF POST TRANSACTION DISPUTES filed herewith or was filed on _____ and assigned U.S. Serial No. _____;

AND WHEREAS, AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC., a subsidiary of AMERICAN EXPRESS COMPANY (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of New York having its principal place of business and mailing address at General Counsel's Office, American Express Tower, World Financial Center, New York, New York 10285-4900, is desirous of memorializing its interest therein;

NOW, THEREFORE, the undersigned ASSIGNOR hereby confirms that ASSIGNOR is a full time salaried employee, past employee or a contractor of ASSIGNEE, AMERICAN EXPRESS COMPANY or one of it's subsidiary companies, and that ASSIGNOR developed the subject matter of the invention on ASSIGNEE's time and at the expense of ASSIGNEE and within the scope of ASSIGNOR's duties to ASSIGNEE and thereby ASSIGNOR recognizes that the ASSIGNEE owns the invention as described in the aforesaid application. Nonetheless to comport with Patent Office procedures, ASSIGNOR memorializes that relationship in the form of this assignment and;

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR by these presents does sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right to the invention, as described in the aforesaid application, including patent, copyright and any other intellectual property rights, any provisional, non-provisional, continuation, continuation in part, divisional, reissue, reexamination, foreign, PCT or other patent application or like document, or any other application which claims priority to said application, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for the sole use and benefit of ASSIGNEE, its successors, assigns and legal representatives,

AND HEREBY AGREES to transfer to ASSIGNEE, its successors, assigns and legal representatives, without further remuneration, a like interest in and to any improvements, derivative works, and applications based thereon, growing out of or relating to the invention; and to provide all reasonable assistance and execute any papers, if accurate, desired by ASSIGNEE, its successors, assigns and legal

representatives, to preserve, acquire and/or perfect ASSIGNEE's full protection and title in and to the invention and any improvements and to file any of the aforementioned applications.

In the event that the Application Number and/or filing date is not available when this Assignment is executed, I hereby authorize and request any attorney associated with Snell & Wilmer L.L.P., Customer No. 20322, to insert above the filing date and/or the application number of said application when known.

EXECUTED as of the date(s) written below by ASSIGNOR:

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Blake Benson</u>	_____ _____ _____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Naveen Jaiswal</u>	_____ _____ _____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Dean Kerl</u>	_____ _____ _____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Sukumar Rajagopalan</u>	<u>15 Webster Court</u> <u>Plainsboro, NJ 08536</u> _____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Judith Continelli</u>	<u>5423 W. Tonto Road</u> <u>Glendale, Arizona</u> <u>85308</u> _____	_____	_____

INVENTOR'S NAME

ADDRESS

SIGNATURE

DATE

Sandy Hazeltine

1935 W. Morten
Unit #1
Phoenix, AZ 85021

SNELL & WILMER L.L.P.

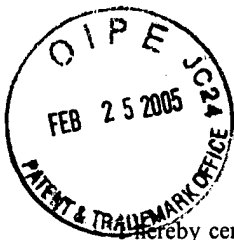
One Arizona Center

400 East Van Buren

Phoenix, Arizona 85004-2202

(602) 382-6284

Fax (602) 382-6070



CERTIFICATE OF MAILING BY FIRST-CLASS MAIL

Hereby certify that this **Statement Regarding Non-Signing Inventor Sandy Hazeltine** is being deposited as U.S. First-Class Mail this date with the United States Postal Service in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

February 12, 2005

By:

Steph J. Mancini

Signature of Person Mailing

**IN THE UNITED STATES PATENT AND PATENT
TRADEMARK OFFICE**

PATENT

Applicant(s): Blake Benson, et al.

Docket No.: 60655.8100

Serial No.: 10/711,388

Group Art Unit: 2876

Filed: September 15, 2004

Examiner: To Be Assigned

**TITLE: ON-LINE MERCHANT SERVICES
SYSTEM AND METHOD FOR
FACILITATING RESOLUTION OF POST
TRANSACTION DISPUTES**

Confirmation No.: 5387

STATEMENT REGARDING NON-SIGNING INVENTOR SANDY HAZELTINE

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, David O. Caplan, hereby affirm that to the best of my personal knowledge:

1. I am an attorney with the law firm of Snell & Wilmer L.L.P. ("Snell & Wilmer").

I am also a patent attorney registered to practice law before the United States Patent and Trademark Office, under United States Patent Office registration no. 41,655.

2. Snell & Wilmer represents American Express Travel Related Services Company, Inc. ("American Express"), in regards to certain intellectual property matters. I have personally provided legal counsel to American Express on many of their intellectual property matters. More particularly, I am the outside counsel most closely involved with the preparation and

prosecution of the above noted U.S. application serial no. 10/711,388, filed September 15, 2004, which is the subject matter of this Petition.

3. American Express retained Snell & Wilmer to prepare several applications related to real-time dispute resolution systems. Of particular importance is U.S. non-provisional application no. 09/537,506, filed March 29, 2000, entitled SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE, and U.S. non-provisional application no. 10/391,492, filed March 18, 2003, entitled SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE USING DISPARATE ARCHITECTURES, to which the 10/711,388 application is a continuation-in-part and claims priority.

4. It was determined that Ms. Sandy Hazeltine made inventive contributions to the inventions disclosed and claimed in the 09/537,506 application, the 10/391,492 application, and the 10/711,388 application. Thus, Ms. Hazeltine is listed as an inventor on the noted applications.

5. In accordance with the Snell & Wilmer client matter docketing system, U.S. application no. 09/537,506 is given attorney docket no. 10655.9400, U.S. application no. 10/391,492 is given attorney docket number 50655.0500, and U.S. application no. 10/711,388 is given attorney docket number 60655.8100. These attorney docket numbers are referenced in communications between American Express, Snell & Wilmer and the inventors of the above noted applications.

6. Ms. Hazeltine participated in the preparation of U.S. application no. 09/537,506, to which the 10/711,388 application is a continuation-in-part and claims priority. On March 21, 2000, Ms. Hazeltine executed an assignment of the 09/537,506 application to American Express Travel-Related Services Company, Inc. (hereinafter "American Express") (see Exhibit A). The

assignment of the 09/537,506 application was recorded in the United States Patent and Trademark Office on March 29, 2000 at Reel No. 010664, Frame 0976, as shown in attached Exhibit B.

7. Regarding the assignment of the 09/537,506 application, Ms. Hazeltine has assigned and transferred to American Express, the full and exclusive right to the invention described in the 09/537,506 provisional application (see Exhibit A, paragraph 4). In addition, Ms. Hazeltine's assignment of rights includes the assignment of the full and exclusive right to, *inter alia*, any provisional, non-provisional, continuation, continuation in part, divisional or other patent application which claims priority to the 09/537,506 application. As such, since the 10/711,388 application is a continuation-in-part and claims priority to the 09/537,506 application, Ms. Hazeltine has assigned to American Express all full and exclusive rights to at least the 10/711,388 application.

8. In accordance with paragraph 5 of the assignment document, Ms. Hazeltine transferred to American Express, without further remuneration, a full and exclusive right to any improvements and applications for patents based thereon, growing out of, or relating to the 09/537,506 application, and to provide reasonable assistance and execute any papers, if accurate, to preserve, acquire and/or perfect American Express's full protection and title in and to the 09/537,506 application and any improvements and to file any applications as noted in the assignment paragraph 3 (see Exhibit A, paragraph 5).

9. In addition to the rights assigned to American Express under assignment document Exhibit A, American Express also clearly has rights in the invention of the 10/711,388 application since Ms. Hazeltine conceived of, and developed the invention, while employed by American Express. Ms. Hazeltine was a full-time, salaried employee of American Express

during the time that the inventions were conceived (see Exhibit C), and the inventions were conceived in line with the scope of Ms. Hazeltine's employment using American Express's resources. As such, notwithstanding the Assignment of rights demonstrated in Exhibit A, it is my belief that American Express owns title to the invention claimed in the 10/711,388 application, even though Ms. Hazeltine was no longer an employee of American Express when the application was filed.

10. Consequently, based on the facts presented in paragraphs 6-8 (by Assignment) and paragraph 9 (by Judicial Award of Assignment), American Express clearly and unambiguously has a substantial interest in the filing and prosecution of all applications noted above.

11. At American Express's instruction, Snell & Wilmer prepared the 10/711,388 application based on the information included in the 09/537,506 application, and information obtained directly from co-inventors Blake Benson, Naveen Jaiswal, Dean Kerl, and Sukumar Rajagopalan. I provided a copy of the 10/711,388 application to Ms. Hazeltine along with the Inventor's Declaration and Assignment for review on October 7, 2004 (see Exhibit D for copy of October 7, 2004 letter, Declaration, and Assignment). The October 7, 2004 letter requested Ms. Hazeltine to review the 10/711,388 application (a copy of which was provided with the October 7, 2004 letter) and to sign and return the Declaration and Assignment by October 18, 2004.

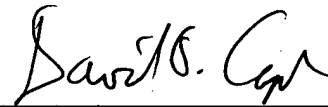
12. Ms. Hazeltine did not return the Declaration and Assignment by October 18, 2004.

13. In an effort to encourage Ms. Hazeltine to execute the Declaration, I personally discussed the matter with Ms. Hazeltine on October 21, 2004.

14. On October 21, 2004, at 3:00 pm Mountain Standard Time, during a telephone call that took place in Maricopa County, Arizona between Ms. Hazeltine and myself, Ms. Hazeltine expressly refused to sign the declaration and join in the prosecution of the 10/711,388 application. Based upon my telephone conversations with Ms. Hazeltine, it is my belief that Ms. Hazeltine is wrongly refusing to sign the declaration, and to join in the prosecution of the 10/711,388 application, and that her refusal is explicit and unequivocal. Thus, her conduct constitutes refusal sufficient to satisfy the requirements for acceptance of the application under 37 C.F.R. §1.47(a).

15. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED this 22nd day of February 2005.



David O. Caplan
Reg. No. 41,655

Please note that the below Exhibits are protected by the Attorney Client and Attorney Work Product Privileges and no privilege is waived with respect to the subject matter of the communications.

**Exhibit A
(Assignment Document)**

ASSIGNMENT

UTILITY PATENT

WHEREAS, the undersigned inventor(s) (hereinafter singly and collectively, "ASSIGNOR") of the addresses indicated below, have invented a **SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE** for which application for Letters Patent of the United States was filed on March 29, 2000 and assigned U.S. Serial No. _____; (OR has been executed on even date herewith);

AND WHEREAS, **AMERICAN EXPRESS TRAVEL-RELATED SERVICES COMPANY, INC.** (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of New York having its principal place of business and mailing address at American Express Tower, World Financial Center, New York, New York 10285-4900, is desirous of acquiring an interest therein;

NOW, THEREFORE, the undersigned **ASSIGNOR(S)** hereby confirm that **ASSIGNORS** are full time salaried employees of **ASSIGNEE** and that **ASSIGNORS** developed the subject matter of the invention on **ASSIGNEE's** time and at the expense of **ASSIGNEE** and within the scope of **ASSIGNORS'** duties as employees of **ASSIGNEE** and thereby **ASSIGNORS** recognize that the **ASSIGNEE** owns the invention as described in the aforesaid application. Nonetheless to comport with Patent Office procedures, **ASSIGNORS** memorialize that relationship in the form of this assignment and;

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **ASSIGNORS** by these presents do sell, assign and transfer unto **ASSIGNEE**, its successors, assigns and legal representatives, the full and exclusive right to the invention, as described in the aforesaid application, including patent, copyright and any other intellectual property rights, any provisional, non-provisional, continuation, continuation in part, divisional, reissue, reexamination, foreign, PCT or other patent application or like document, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to **ASSIGNEE**, for the sole use and benefit of **ASSIGNEE**, its successors, assigns and legal representatives,

AND HEREBY AGREES to transfer a like interest to **ASSIGNEE**, its successors, assigns and legal representatives, without further remuneration, in and to any improvements and applications for patents based thereon, growing out of or relating to the invention; and to provide all reasonable assistance and execute any papers desired by **ASSIGNEE**, its successors, assigns and legal representatives, to perfect **ASSIGNEE's** full protection and title in and to the invention hereby transferred and to file any of the aforementioned applications.

EXECUTED as of the date(s) written below by ASSIGNORS:

INVENTOR'S NAME

ADDRESS

SIGNATURE

DATE

Judy Continelli

5423 W. Tonto Rd
Glendale, AZ
85308

[Signature]

3/21/00

Sandy Hazeltine

1935 W. Morten
Unit #1
Phoenix, AZ 85021

[Signature]

3/21/00

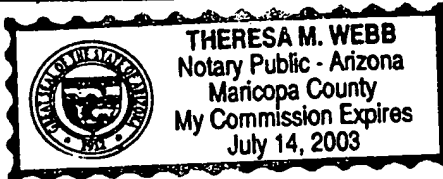
STATE OF

Arizona

)
) ss.

County of

Maricopa



On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Judy Continelli who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

[Signature]

Notary Public

My commission expires:

7/14/2003

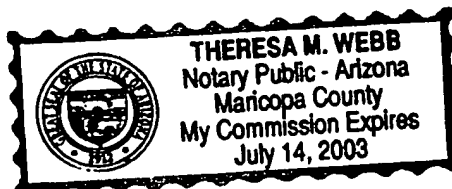
STATE OF

Arizona

)
) ss.

County of

Maricopa



On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Sandy Hazeltine who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

[Signature]

Notary Public

My commission expires:

7/14/2003

SNELL & WILMER L.L.P.

One Arizona Center

400 East Van Buren

Phoenix, Arizona 85004-2202

(602) 382-6000

ORTHMPHX\802053.1

Exhibit B
(Recordation of Assignment)

1066-2400



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 31, 2000

PTAS



101311289A

SNELL & WILMER, L.L.P.
MICHELLE ORTH
ONE ARIZONA CENTER
400 E. VAN BUREN
PHOENIX, ARIZONA 85004-2202

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/29/2000

REEL/FRAME: 010664/0976
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
CONTINELLI, JUDITH

DOC DATE: 03/21/2000

ASSIGNOR:
HAZELTINE, SANDY

DOC DATE: 03/21/2000

ASSIGNEE:
AMERICAN EXPRESS TRAVEL-RELATED
SERVICES COMPANY, INC.
WORLD FINANCIAL CENTER
AMERICAN EXPRESS TOWER
NEW YORK, NEW YORK 10285-4900

SERIAL NUMBER: 09537506
PATENT NUMBER:

FILING DATE: 03/29/2000
ISSUE DATE:

RECEIVED

JUN 08 2000

SNELL & WILMER

Noted for receipt

010664/0976 PAGE 2

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

04-10-2000

U.S. Department of Commerce
Patent and Trademark Office
PATENT

3.29.00



101311289

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

09537506

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Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name (line 1) Judith Continelli

03 21 00

Name (line 2)

Second Party

Name (line 1) Sandy Hazeltine

Execution Date
Month Day Year
03 21 00

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) AMERICAN EXPRESS TRAVEL-RELATED SERVICES

Name (line 2) COMPANY, INC.

Address (line 1) American Express Tower

Address (line 2) World Financial Center

Address (line 3) New York

New York

10285-4900

☐ If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic
representative is attached.
(Designation must be a
separate document from
Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

04/10/2000 BNGUYEN 00000164 09537506

01 FC:581

40.00 OP

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number **(602) 382-6275**

Name **Michelle Orth**

Address (line 1) **Snell & Wilmer, L.L.P.**

Address (line 2) **One Arizona Center**

Address (line 3) **400 E. Van Buren**

Address (line 4) **Phoenix, Arizona 85004-2202**

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

2

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year
03 28 00

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed ☒

Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

19-2814

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Michelle Orth

Name of Person Signing



Signature

3/29/00

Date

ASSIGNMENT

UTILITY PATENT

WHEREAS, the undersigned inventor(s) (hereinafter singly and collectively, "ASSIGNOR") of the addresses indicated below, have invented a **SYSTEM AND METHOD FOR FACILITATING THE HANDLING OF A DISPUTE** for which application for Letters Patent of the United States was filed on March 29, 2000 and assigned U.S. Serial No. _____; (OR has been executed on even date herewith);

AND WHEREAS, **AMERICAN EXPRESS TRAVEL-RELATED SERVICES COMPANY, INC.** (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of New York having its principal place of business and mailing address at American Express Tower, World Financial Center, New York, New York 10285-4900, is desirous of acquiring an interest therein;

NOW, THEREFORE, the undersigned **ASSIGNOR(S)** hereby confirm that **ASSIGNORS** are full time salaried employees of **ASSIGNEE** and that **ASSIGNORS** developed the subject matter of the invention on **ASSIGNEE's** time and at the expense of **ASSIGNEE** and within the scope of **ASSIGNORS'** duties as employees of **ASSIGNEE** and thereby **ASSIGNORS** recognize that the **ASSIGNEE** owns the invention as described in the aforesaid application. Nonetheless to comport with Patent Office procedures, **ASSIGNORS** memorialize that relationship in the form of this assignment and;

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **ASSIGNORS** by these presents do sell, assign and transfer unto **ASSIGNEE**, its successors, assigns and legal representatives, the full and exclusive right to the invention, as described in the aforesaid application, including patent, copyright and any other intellectual property rights, any provisional, non-provisional, continuation, continuation in part, divisional, reissue, reexamination, foreign, PCT or other patent application or like document, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to **ASSIGNEE**, for the sole use and benefit of **ASSIGNEE**, its successors, assigns and legal representatives,

AND HEREBY AGREES to transfer a like interest to **ASSIGNEE**, its successors, assigns and legal representatives, without further remuneration, in and to any improvements and applications for patents based thereon, growing out of or relating to the invention; and to provide all reasonable assistance and execute any papers desired by **ASSIGNEE**, its successors, assigns and legal representatives, to perfect **ASSIGNEE's** full protection and title in and to the invention hereby transferred and to file any of the aforementioned applications.

EXECUTED as of the date(s) written below by ASSIGNORS:

INVENTOR'S NAME

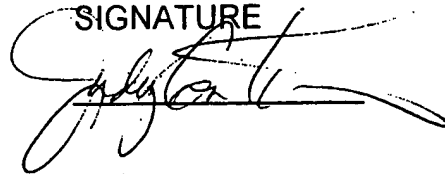
ADDRESS

SIGNATURE

DATE

Judy Continelli

5423 W. Tonto Rd
Glendale, AZ
85308



3/21/00

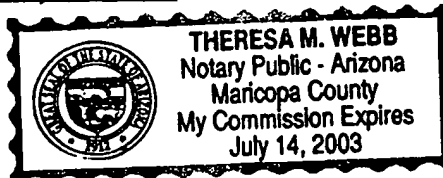
Sandy Hazeltine

1935 W. Morten
Unit #1
Phoenix, AZ 85021



3/21/00

STATE OF Arizona)
County of Maricopa) ss.



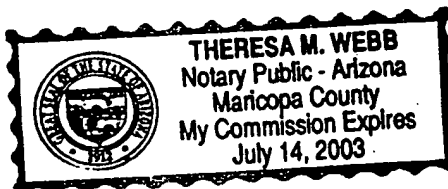
On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Judy Continelli who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

Theresa M Webb
Notary Public

My commission expires:

7/14/2003

STATE OF Arizona)
County of Maricopa) ss.



On this 21st day of March, 2000, before me, a notary public in and for said county, appeared Sandy Hazeltine who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he/she signed, sealed and delivered the said instrument as a free and voluntary act for the uses and purposes therein set forth.

Theresa M. Webb
Notary Public

My commission expires:

7/14/2003

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

ORTHMPHX\802053.1

Exhibit C
(Ms. Hazeltine's Dates of Employment)

New Reply Lotus Note: Administer Workforce (GBL) - Use - Job Data

File Edit View Go Favorites Use Setup Inquire Report Help

Address: Reply To All

Work Location Job Information Payroll Compensation Compensation Dis Employment Data HRD Misc Fields Submit

Subject: Re: Hostile Inventor

Jen, can you help Patrice responsive to #4. thank

From: Patrice Jacobson

From: Patrice Jacobson
To: Judith A Moldover
cc: Tracey R Thomas
Subject: Hostile Inventor F

Judith - I need your assistance

that is all we would have

patent matters and they were

Office

From: Judith A Moldover on 03/20/2003 03:34 PM

From: Judith A Moldover on 03/20/2003 03:34 PM
To: Patrice Jacobson@AMEX, Jennifer Oquendo@AMEX
cc: Tracey R Thomas/AMER/TRS/AEXP@AMEX
Subject: Re: Hostile Inventor Petition

Jen, can you help Patrice? I think items 3 and 5 will be in Peoplesoft. Please check to see if we have an A&R for each of them. I think that is all we would have responsive to #4. thanks

From: Patrice Jacobson on 03/20/2003 03:31 PM

From: Patrice Jacobson on 03/20/2003 03:31 PM
To: Judith A Moldover@AMEX
cc: Tracey R Thomas/AMER/TRS/AEXP@AMEX
Subject: Hostile Inventor Petition

Judith - I need your assistance and services once more. There are two people that are named as inventors on one of our high profile patent matters and they were

Help 10 None Start

Help 10 None Start

Administer Workforce

Hazeline Sandia W		ID: 0059311
Hire Date: 02/12/1990	Rehire Date:	Termination Date: 11/13/2001
Company Seniority Date: 02/12/1990		Last Date Worked: 11/13/2001
Service Date / Months / Days: 02/12/1990 / 141 / 4292		Expected Return Date:
Professional Experience Date:		Last Verification Date:
Date Last Increase:		Probation Date:
Mail Drop: 0312	Acquisition Date:	Home/Host: Home
Business Title:		Work Phone: 602/766-9106
Supervisor ID: 9999999		Term Default ID

Employment Data Update/Display

Exhibit D
(October 7, 2004 letter to Ms. Hazeltine including Declaration and Assignment)

Snell & Wilmer
L.L.P.
LAW OFFICES

One Arizona Center
Phoenix, Arizona 85004-2202
(602) 382-6000
Fax: (602) 382-6070
www.swlaw.com

David Caplan
602-382-6284
dcaplan@swlaw.com
Patents and Trademarks

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

SALT LAKE CITY, UTAH

DENVER, COLORADO

LAS VEGAS, NEVADA

October 7, 2004

Ms. Sandra W. Hazeltine
820 E. Corte Oro
Phoenix, Arizona 85020-3773

Re: **U.S. Utility Patent Application for:**
Title: ON-LINE MERCHANT SERVICES SYSTEM AND
METHOD FOR FACILITATING RESOLUTION OF
POST TRANSACTION DISPUTES
Inventor(s): Blake Benson; Naveen Jaiswal; Dean Kerl; Sukumar
Rajagopalan; Judith Continelli; Sandy Hazeltine
Our Docket No.: 60655.8100
Date Filed: September 15, 2004

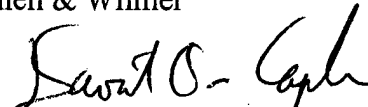
Dear Sandra:

You are listed as an inventor on the above patent application. Enclosed are the Assignment and Declaration for the above referenced matter, along with a copy of the patent application and figures as filed. Please review, check the accuracy of your information, and sign the enclosed Declaration and Assignment documents. Please return these documents to me by **October 18, 2004** for filing with the U.S. Patent Office.

Even though you are no longer employed by American Express, your conformance with your continued obligation is appreciated. If you have any questions, please do not hesitate to contact me at the above number.

Very truly yours,

Snell & Wilmer

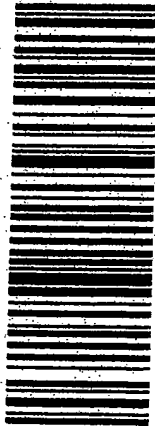

David O. Caplan

DOC/sgm
Enclosures
cc: American Express

NOTED ON DOCKET

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



7002 0860 0001 0797 3659
7002 0860 0001 0797 3659

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$	Assignment & Declaration
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
		Postmark Here
		60655.8100

Sent To Sandra W. Hazeltine

Street, Apt. No., or PO Box No. 820 E. Corte Oro

City, State, ZIP+4 Phoenix, Arizona 85020

PS Form 3800, April 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Sandra Hazeltine
820 E. Corte Oro
Phoenix, Arizona 85020-3773

60655.8100

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Sandra Hazeltine ☐ Agent ☒ Addressee

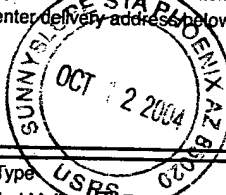
B. Received by (Printed Name)

Sandra Hazeltine

C. Date of Delivery

D. Is delivery address different from item 1?

If YES, enter delivery address below: ☐ Yes ☒ No



3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

-- PATENT --

Inventor(s):	Blake Benson et al.	Docket No.:	60655.8100
Serial No.:		Group Art Unit:	To Be Assigned
Filing Date:		Examiner:	To Be Assigned
Title:	ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING RESOLUTION OF POST TRANSACTION DISPUTES		
		Confirmation No.:	To Be Assigned

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING
RESOLUTION OF POST TRANSACTION DISPUTES**

the specification of which is attached hereto or was filed on _____ as
Application Serial No. _____ and was amended on _____ (if
applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign
Application(s)

Priority Not Claimed

[]

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>
---------------	----------------	--------------------

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>Filing Date</u>
<u>Application Number</u>	<u>Filing Date</u>

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/537,506</u>	<u>03/29/2000</u>	<u>Pending</u>
<u>Application Number</u>	<u>Filing Date</u>	<u>Status (Patent, Pending, Abandoned)</u>
<u>10/391,492</u>	<u>03/18/2003</u>	<u>Pending</u>
<u>Application Number</u>	<u>Filing Date</u>	<u>Status (Patent, Pending, Abandoned)</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In the event that the Application Number and/or filing date is not available when this Declaration is executed, I hereby authorize and request any attorney associated with the Snell & Wilmer, L.L.P., Customer No. 20322, to insert above the filing date and/or the application number of said application when known.

Full name of sole or first joint inventor: Blake Benson

Inventor's signature: _____ Date: _____

Residence Address: _____

City/State: _____ Zip Code: _____

Mailing Address: _____

Citizenship: _____

Full name of second joint inventor: Naveen Jaiswal

Inventor's signature: _____ Date: _____

Residence Address: _____

City/State: _____ Zip Code: _____

Mailing Address: _____

Citizenship: _____

Full name of third joint inventor: Dean Kerl

Inventor's signature: _____ Date: _____

Residence Address: _____

City/State: _____ Zip Code: _____

Mailing Address: _____

Citizenship: _____

Full name of fourth joint inventor: Sukumar Rajagopalan

Inventor's signature: _____ Date: _____

Residence Address: 15 Webster Court

City/State: Plainsboro, New Jersey Zip Code: 08536

Mailing Address: 15 Webster Court, Plainsboro, New Jersey 08536

Citizenship: United States of America

Full name of fifth joint inventor: Judith Continelli

Inventor's signature: _____ Date: _____

Residence Address: 5423 W. Tonto Road

City/State: Glendale, Arizona Zip Code: 85308

Mailing Address: 5423 W. Tonto Road, Glendale, Arizona 85308

Citizenship: United States of America

Full name of sixth joint inventor: Sandy Hazeltine

Inventor's signature: _____ Date: _____

Residence Address: 19335 W. Morten, Unit #1

City/State: Phoenix, Arizona Zip Code: 85021

Mailing Address: 1935 W. Morten, Unit #1, Phoenix, Arizona 85021

Citizenship: United States of America

ASSIGNMENT

UTILITY PATENT

WHEREAS, the undersigned inventor(s) (hereinafter singly and collectively, "ASSIGNOR") of the addresses indicated below, have invented subject matter disclosed in the patent application entitled ON-LINE MERCHANT SERVICES SYSTEM AND METHOD FOR FACILITATING RESOLUTION OF POST TRANSACTION DISPUTES filed herewith or was filed on _____ and assigned U.S. Serial No. _____;

AND WHEREAS, AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC., a subsidiary of AMERICAN EXPRESS COMPANY (hereinafter "ASSIGNEE"), a corporation organized and existing under and by virtue of the laws of the State of New York having its principal place of business and mailing address at General Counsel's Office, American Express Tower, World Financial Center, New York, New York 10285-4900, is desirous of memorializing its interest therein;

NOW, THEREFORE, the undersigned ASSIGNOR hereby confirms that ASSIGNOR is a full time salaried employee, past employee or a contractor of ASSIGNEE, AMERICAN EXPRESS COMPANY or one of it's subsidiary companies, and that ASSIGNOR developed the subject matter of the invention on ASSIGNEE's time and at the expense of ASSIGNEE and within the scope of ASSIGNOR's duties to ASSIGNEE and thereby ASSIGNOR recognizes that the ASSIGNEE owns the invention as described in the aforesaid application. Nonetheless to comport with Patent Office procedures, ASSIGNOR memorializes that relationship in the form of this assignment and;

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR by these presents does sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right to the invention, as described in the aforesaid application, including patent, copyright and any other intellectual property rights, any provisional, non-provisional, continuation, continuation in part, divisional, reissue, reexamination, foreign, PCT or other patent application or like document, or any other application which claims priority to said application, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for the sole use and benefit of ASSIGNEE, its successors, assigns and legal representatives,

AND HEREBY AGREES to transfer to ASSIGNEE, its successors, assigns and legal representatives, without further remuneration, a like interest in and to any improvements, derivative works, and applications based thereon, growing out of or relating to the invention; and to provide all reasonable assistance and execute any papers, if accurate, desired by ASSIGNEE, its successors, assigns and legal

representatives, to preserve, acquire and/or perfect ASSIGNEE's full protection and title in and to the invention and any improvements and to file any of the aforementioned applications.

In the event that the Application Number and/or filing date is not available when this Assignment is executed, I hereby authorize and request any attorney associated with Snell & Wilmer L.L.P., Customer No. 20322, to insert above the filing date and/or the application number of said application when known.

EXECUTED as of the date(s) written below by ASSIGNOR:

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Blake Benson</u>	_____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Naveen Jaiswal</u>	_____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Dean Kerl</u>	_____	_____	_____

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Sukumar Rajagopalan</u>	<u>15 Webster Court</u>	_____	_____
	<u>Plainsboro, NJ 08536</u>		

INVENTOR'S NAME	ADDRESS	SIGNATURE	DATE
<u>Judith Continelli</u>	<u>5423 W. Tonto Road</u>	_____	_____
	<u>Glendale, Arizona</u>		
	<u>85308</u>		

INVENTOR'S NAME

ADDRESS

SIGNATURE

DATE

Sandy Hazeltine

1935 W. Morten

Unit #1

Phoenix, AZ 85021

SNELL & WILMER L.L.P.

One Arizona Center

400 East Van Buren

Phoenix, Arizona 85004-2202

(602) 382-6284

Fax (602) 382-6070